



**MINUTES  
CITY COUNCIL MEETING  
July 9, 2019**

**CALL TO ORDER**

The meeting was called to order at 6:30 pm.

**Present:** Mayor: Charlie Miner; Council: Deirdre Kvale, Michelle Jerde, Jahn Dyvik, and Tom Skjaret

**Staff Present:** City Administrator: Scott Weske; City Engineer: Alex Miller; Public Works Director: Sean Diercks; and City Clerk: Jeanette Moeller

**Absent:** None

**PLEDGE OF ALLEGIANCE**

**MAYOR'S COMMENTS - LONG LAKE NEWS, MEETING REVIEW AND UPDATES**

Mayor Miner offered the following comments and updates:

In a work session prior to the regular meeting, the Council began discussion of initial 2020 budget considerations and forecasting.

The former BP station at the corner of Wayzata Boulevard W and Lake Street has been completely demolished, which is a great accomplishment for the City. So far, soil conditions have remained under remediation limits, and the corner is looking better already.

The Chamber of Commerce will be hosting Buckhorn Days on Saturday, July 12. Information on the event has been distributed on the City Listserv, and Mayor Miner invited everyone to join in the day's events.

**APPROVE AGENDA**

*A motion was made by Skjaret, seconded by Jerde, to approve the Agenda as presented. Ayes: all.*

**CONSENT AGENDA**

The Consent Agenda consisted of:

- A. Approve Minutes of June 18, 2019 City Council Meeting
- B. Receive Unofficial Draft Minutes of June 11, 2019 Planning Commission Meeting
- C. Approve Vendor Claims and Payroll
- D. Approve the Proposal From Southwest Assessing for City Assessor Services From July 1, 2019 - June 30, 2020 and Authorize Staff to Execute the Contract
- E. Adopt Resolution No. 2019-29 Approving Issuance of Special Event Permit #S2019-06 for Corn Days 2019; Approve Issuance of Noise Variance Permit for Live Entertainment; Approve Issuance of 1 to 4 Day Temporary On Sale Liquor License; Approve Application for Exempt Permit for Gambling Activities During Corn Days 2019 (Saturday and Sunday, August 10-11, 2019)

Mayor Miner pointed out that one correction was needed to Check #00100 to Hennepin County for radio fees. Weske had already contacted the County and they will be crediting the overpayment to the City's account.

Council member Kvale mentioned that a fee payment to Biffs had also been off by a minor \$0.10.

*A motion was made by Jerde, seconded by Dyvik, to approve the Consent Agenda as presented.  
Ayes: all.*

## **OPEN CORRESPONDENCE**

No one was in attendance to address the City Council during Open Correspondence.

## **BUSINESS ITEMS**

### **Discussion and Consideration of Sanitary Flow Metering Near Watertown Road Lift Station**

Alex Miller, consulting City Engineer with WSB & Associates, introduced a proposal prepared by WSB for conducting flow metering in the area of the Watertown Road lift station. She highlighted the difference between storm sewer and sanitary sewer facilities and function; and explained that both inflow and infiltration are sources of clear water - water that does not need to be treated - that is being sent to the sanitary sewer treatment plant and that the city is paying to clean. Specific examples of clear water include private sump pumps or downspouts that are being routed to sanitary sewer instead of being discharged onto a lawn, or roadway and deteriorated mainline sanitary sewer pipes that are letting groundwater in.

Miller depicted a map of sanitary sewer lines and highlighted the proposed project area, noting that in recent months, Public Works has noted that the Watertown Road lift station is pumping sanitary sewer more frequently than what is typical which is a sign that additional flows are entering the system. The area proposed for metering was also chosen because it is a low area of the City. Low areas may have higher ground water and therefore more infiltration into pipes. She also noted that one of the four pipes to be monitored for flow would be located at the interconnection with Orono located within the lift station area "sewershed". The proposal would include installing four flow meters in the ground for three weeks, comparing actual flow data versus expected results, and delivering data to analyze and help prioritize improvements for reducing I/I.

Though Metropolitan Council does collect fees for sanitary sewer flow volume, they do also offer some grant funding for reimbursement of sanitary sewer infrastructure improvements such as pipe lining, pipe replacement, and manhole repairs. Their next round of grant funding begins in 2020, and Miller stated she believes Long Lake would be a strong candidate for grant eligibility due to the City's rising I/I flow volumes.

Miller responded to Council member questions regarding maximizing results of the monitoring and whether expanding the reach of the proposed monitoring would be advantageous; whether work performed before the 2020 Metropolitan Council grant funding cycle may be eligible for reimbursement; whether the monitoring proposed would include Orono homes connected through the interconnect; whether a grant application has to include support for rationale as to why a City would request a grant; whether grant funds are required to be returned if the balance of a grant isn't used or if the project is not effective; how cities applying for grants are prioritized; and what sources of metering data have been available thus far.

Miller explained that Metropolitan Council meters their line only and performs a calculation for any interconnects the City has identified to Metropolitan Council; however, the interconnects are not

metered by Metropolitan Council. She added that she had recently met with Metropolitan Council to learn more about their grant program and steps that could be taken ahead of an application. Though WSB's current project scope includes costs for renting meters from WSB to conduct the monitoring, there may be opportunity to rent meters for free from Metropolitan Council. If the meters can be rented at no cost from their agency, WSB's project fee as currently proposed for the work would be reduced by \$1,500. Miller confirmed that the meters offered by Metropolitan Council would be the same as WSB had proposed using. In future, if the City is interested in other metering projects, renting meters cost-free from Metropolitan Council may provide opportunity to do so.

*A motion was made by Skjaret, seconded by Jerde, to approve a scope of work in the amount of \$6,614 to WSB for metering and analyzing sanitary sewer flow and estimating mitigation costs for the Watertown Road lift station sewer-shed.*

Weske questioned whether consideration should be given in the motion to including the flexibility to add another week of monitoring should rain events not occur during the three week monitoring period. Miller clarified that if the meters could not be obtained from Metropolitan Council, the potential cost impact of an additional week of monitoring would be \$828.

Council member Skjaret indicated he would amend his motion to include a not to exceed amount with the option to add an additional week of flow data monitoring.

Council member Dyvik added that if meters can be obtained from Metropolitan Council, perhaps monitoring could take place for up to a five week period.

*A motion was made by Skjaret, seconded by Jerde, to approve a scope of work not to exceed \$7,500 to WSB for metering and analyzing sanitary sewer flow and estimating mitigation costs for the Watertown Road lift station sewer-shed.*

Council member Dyvik questioned whether the funding source for the project would be the general fund. Weske stated that in theory the project should be funded through the sewer fund, but the Council could make a different decision and provide direction to staff if desired. Council member Dyvik agreed the sewer fund would be an appropriate funding source, noting the sewer fund will need to be made whole regardless.

*Ayes: all.*

Council member Dyvik added that he would suggest direction be given that WSB work to borrow the meters to either reduce the project cost or increase the metering/monitoring timeframe.

Miller noted that the data will be telling and will help provide understanding as to where problems may be located on a broad basis. As improvements are considered, investigation measures such as televising will help identify where repairs may be warranted. A number of trenchless repair measures may be available dependent upon circumstances, where in other areas, excavation may be necessary to make repairs.

### **Pay Request #1 for Wayzata Boulevard (CSAH 112) Phase 1 – Landscape Project**

Weske advised that consistent with the previously approved planting plan, Hoffman & McNamara has substantially completed work on the Wayzata Boulevard Phase 1 Landscaping Project and has submitted a request for payment in the amount of \$74,457.20 for work completed to date. Staff recommends approval of the pay request, and noted that the request represents withholding a 5% retainage until final completion. Weske confirmed that the funding for the project would be the Highway 12 Turnback Fund, and explained that upon issuance of payment, the City would be taking

steps to assure the appropriate reimbursements consistent with the cooperative agreement are received from Hennepin County and the City of Orono.

City Engineer Miller discussed WSB staff members who had provided the required project oversight and confirmed that project work was completed correctly. She also indicated the line item for project oversight will be left open through the planting warranty period. Currently, there is work WSB will need to oversee for paperwork with the plantings and communication with the County.

Weske confirmed that it is expected the final project will remain cash neutral at the expected \$113,000 overall project cost.

Miller indicated Council can expect to see another payment request for a smaller amount accompanied by a change order for planting changes made during the project. The payment request structure would include likely one more pay request for 2019, one in another year, and a final payment request in two years once collateral retainage is no longer necessary to be withheld.

*A motion was made by Jerde, seconded by Dyvik, to authorize Pay Request #1 to Hoffman & McNamara Co. in the amount of \$74,457.20 for the above-referenced project. Ayes: all.*

### **Consider Authorizing Purchase of Yield To Pedestrians In-Street Signage**

Weske reported that this item had been added to the agenda as a result of conversations between Mayor Miner, Council member Dyvik and himself. With the Wayzata Boulevard W reconstruction project now somewhat complete, there is a need for better identification of some pedestrian crossings.

Council member Dyvik explained that he had looked at what Wayzata was using for their in street signs and researched similar signage online. He noted that while the signage was not cheap, it was not as costly as he had anticipated the signs could be. He wondered whether the in street signs on rubber bases should be given consideration for installation in significant pedestrian crossings at Heather Lane, Wurzer Trail, Mill Street and Lake Street.

Referring to the sign example provided in the meeting packet, Council member Skjaret noted he would be concerned that if the signs include a "yield" symbol instead of a "stop" symbol, traffic would slow rather than stop for pedestrians.

Council member Dyvik also wondered whether the County would permit the signs to be placed in the roadway. Public Works Director Diercks commented that his initial gut reaction is that the County would not allow the City to install the signs, though perhaps placing one in the Heather Lane crossing island of refuge would be a good start.

Mayor Miner noted Wayzata's position has been that the signs should say "yield", though their signage includes the "stop" symbol. Diercks added that the statute says you have to stop to yield to pedestrians.

Council member Skjaret voiced that he has been pleasantly surprised at the number of people who do stop for pedestrians to cross of late, and that he has been seeing a lot of traffic stops by Wayzata Police. He believes that it will be a challenge to keep speeds down in the corridor, and continued enforcement will be critical. With the added roadway crossings for trail access, it will be interesting to see impacts on speed.

Council member Jerde noted that at trail crossings in Mound, there are signs on the trails at intersections with roadways advising that "opposing traffic does not stop".

After continued discussion of signage options, Council members were in agreement to shelve further discussion of pedestrian crossing signage until possibly next spring once project work is complete.

### **Reschedule Tuesday, August 6 City Council Work Session and Regular Meetings Due to 'Night to Unite'**

City Clerk Moeller reported that typically the City Council reschedules the first Tuesday meeting of August each year to an alternate night in order to permit Council members to attend and participate in 'Night to Unite' neighborhood gatherings. Staff is recommending the Council consider rescheduling the Tuesday, August 6 work session and regular meetings to take place instead on Wednesday, August 7. Moeller noted that information about Night to Unite has been included in the upcoming City newsletter soon to be mailed with utility bills. She added that new this year, due to the growing number of neighborhood parties, no park stops have been planned in order to permit more time for public safety stops in the neighborhoods. Also, the Wayzata Crime Prevention Coalition and Wayzata Police Department are preparing kits for those who register neighborhood parties for this year's 'Night to Unite' activities.

*A motion was made by Miner, seconded by Jerde, to reschedule the Tuesday, August 6, 2019 City Council work session and regular meetings to take place on Wednesday, August 7. Ayes: all.*

### **Wayzata Boulevard W Construction and Landscaping Project Updates**

Public Works Director Diercks reported in the Phase 1 area, monument sign lights were inspected and approved. Diercks has been trying to have the general contractor spray weeds along the berm area, and has been assured weed spraying will occur during the current week. The contractor will be repairing a manhole casting that has come loose adjacent to the lake, and will be lowering a center stormwater drain at Gear West two inches to improve drainage.

For the Phase 2 area, final paving of the wear course has been tentatively scheduled for July 19 and 19. Installation of ornamental railing on retaining walls should start tomorrow. Work on the center island refuge at the Heather Lane and Greenhill Lane crossing area has begun, and final grading near the cemetery in Wayzata has begun. Streetlight work continues from Old Long Lake Road east through the corridor. Also, this past winter revealed an erosion issue exists at Wayzata Boulevard W and Lindawood Lane and the contractor will be installing curb and gutter to resolve the issue. Permanent seeding and sod installation will be going in along the walkig trail, and final pavement marking is set to begin July 23.

Diercks also confirmed that he would anticipate a ditch on Glenmoor Lane will be filled in soon; the future shelter concrete pad at Dexter Park has been installed, two pads for concrete benches were poured by Public Works for the lake park, and a third bench pad was poured earlier in the day for a bench donated by the Orono Lions Club to be located behind Tee Box 1 at the frisbee course. The donated bench will be installed Friday in time for Buckhorn Days. Diercks noted that there are two benches left from Eureka.

Mayor Miner asked whether the City was responsible to maintain the black streetlights, and if the one streetlight destroyed in a recent accident was still on order. Diercks responded that by recent estimate the replacement light will be in production for delivery September 20. While there was some discussion of purchasing more than one given the time to produce the lights, the cost of each light is close to \$10,000. The insurance company has indicated they are sending a check in payment for the replacement light on order.

Mayor Miner referenced some emails regarding weeds in landscaping on the south side of Wayzata Boulevard W. Weske indicated an email had been sent to Amanda Shotton with Hennepin County to

advise them it is expected they will be spraying the berm on the north and on the south side for weeds. They were originally supposed to do so two weeks prior to the installation of Phase 1 plantings. Diercks confirmed that if damage is incurred to the new plantings, he would expect the County to pay to replace them.

Council member Dyvik commented that he liked the appearance and design of the ornamental plantings at the four corners of the intersection of Brown Road N and Wayzata Boulevard W, as well as at the east monument sign location. Overall, he was pleased with the whole planting project. He noted he had emailed Janna Jonely at the MCWD to ask if she could take a look at the shoreline and slope areas and review growth.

Council member Dyvik also thanked Weske for facilitating completion of the new banners, and thanked Diercks and Public Works for hanging them. Mayor Miner added his appreciation to the members of the CR112 Landscaping Subcommittee for their work on the landscaping project and banner design.

Diercks added that Public Works had received approval from the MCWD to haul in sand for the beach and will be moving forward with the project.

Council member Dyvik reported that there will be another landscaping project led by Orono for Phase 2, with landscaping to take place in Orono mainly near the Old Long Lake Road intersection as well as by the Luce Line connection.

## **OTHER BUSINESS**

**Goose Management Plan** – Mayor Miner sought an update on the Goose Management Plan and its implementation in Nelson Lakeside Park. Weske explained that in 2017 a public hearing was held and the City Council approved a Goose Management Plan issued through the MnDNR allowing the removal of geese from Long Lake through strict rules and regulations. The plan has been implemented in 2017, 2018, and 2019. Consistent with the approved plan, another removal of adults and goslings was conducted last week by permit. A concerned resident appeared at City Hall and Weske did assure her that the Council had made a decision to approve goose management, and that the removal was regulated by the MnDNR. He noted that every time it rains, fecal material from geese washes onto the sand and into the beach water. He reviewed beach closure data for years 2013 through the current year, which reflected that in the past three years since implementation of the plan, there has been a significant reduction in beach closures. For the community and individuals who use and frequent the beach, the City is doing what it can to keep water quality safe for swimming and not closed by the County. Council member Dyvik added that the bacteria that can lead to E.coli comes largely from goose feces, and discussed a local example where people had become ill. Council members discussed various goose deterrents employed to attempt to manage the population in past years both on public and private properties, and discussed other alternative methods not yet attempted such as adding plantings along the beach retaining wall. Diercks noted that one of the cities included in the concerned resident's follow up email had approached him in the past two weeks mentioning interest in Long Lake's Goose Management Plan.

**Tree Preservation Interpretation** – Council member Dyvik mentioned that the Charles Cudd group received an interpretation of the City's tree preservation ordinance that he believed was incorrect, as they had the impression they would need to pay \$200 per caliper inch for trees removed. Moeller noted that staff is currently working on a housekeeping ordinance to make corrections to zoning code in a number of areas, including the tree preservation ordinance, as the language in that section is unclear and easily misunderstood. She believed that overall the focus would be to direct that the developer avoid damage to heritage trees, submit a preservation plan

indicating significant trees will be preserved, and then would be responsible for damages to trees if designated in the preservation plan as being preserved.

**Upcoming Newsletter** – Mayor Miner indicated that the CityScene newsletter about to be mailed has great content including a reference to a community input survey for City owned properties. He encouraged residents to take the time to complete the survey. Weske stated that so far, between 32 and 36 responses had been received prior to the newsletter's release.

**ADJOURN**

*Hearing no objection, Mayor Miner adjourned the meeting by general consent at 8:05 pm.*

Respectfully submitted,

Jeanette Moeller  
City Clerk